



Congress of the United States

April 7, 2006

Committee on Education
and the Workforce

Permanent Select Committee
on Intelligence

Member
Congressional Arts Caucus
Congressional Working Group on Children
Congressional Fire Services Caucus
Sustainable Development Caucus
Internet Caucus
Law Enforcement Caucus

House Speaker Dennis Hastert
H-232, The Capitol
Washington, D.C. 20515

Dear Mr. Speaker,

Since the Constitution was ratified in 1789, Congress has played an active and instrumental role in matters of national security. The Founders wisely saw the need for dividing responsibility for our nation's protection between the Legislative and Executive branches. As such, they built into our system of government checks and balances that both prevent one branch from becoming too dominant, and compel the various branches to work together. Today, I write to you regarding a pressing national security matter that, if left unaddressed by this body, jeopardizes this fundamental system of checks and balances.

As you know, yesterday, we learned that the Vice President's former chief of staff, I. Lewis "Scooter" Libby, testified under oath that President Bush authorized him, through the Vice President, to selectively leak portions of the National Intelligence Estimate on Iraq's weapons of mass destruction programs to the media in 2003. On page 23 of his April 5, 2006 filing with the federal court, Special Counsel Patrick Fitzgerald revealed the following regarding Mr. Libby's testimony on this matter:

Defendant testified that he thought he brought a brief abstract of the NIE's key judgments to the meeting with Miller on July 8. Defendant understood that he was to tell Miller, among other things, that a key judgment of the NIE held that Iraq was "vigorously trying to procure" uranium.

Defendant testified that this July 8th meeting was the only time he recalled in his government experience when he disclosed a document to a reporter that was effectively declassified by virtue of the President's authorization that it be disclosed. (emphasis added)

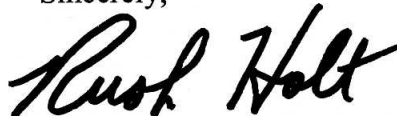
I, too, have never heard of a circumstance in which a President of the United States authorized a subordinate to selectively leak portions of a highly classified NIE to members of the press while also concealing that selective declassification from Congress and the intelligence community. Though President Bush has the authority to declassify information unilaterally, we know almost nothing about how he chooses to do so. What is the process? With whom does he consult? What standards are used? What purposes

are legitimate – or should be legitimate – for the exercise of this authority? When, if ever, will Congress and the intelligence community be notified when information is unilaterally declassified?

As you know, I have been trying for nearly two years to get information that would enable Congress to know how the Administration handles deeply sensitive classified information. Had the Committees acted favorably on my previous Resolutions of Inquiry, for example, we would have gained valuable information pertaining to this matter long ago. Without a full understanding of how the Executive Branch is handling – or, conversely, mishandling – classified information, Congress will remain unable to be the check and balance that the Constitution requires. This is the true regardless of who occupies the White House or which party controls the Congress.

The issues involved in this matter go far beyond the players involved. Congress has an obligation to be a check and balance on the Executive, and it cannot do so if it remains willfully ignorant of the facts. As such, I am formally requesting that the President be invited to address Congress. Such an address will give Congress the opportunity to hear directly from the President on this matter, and will give the President an opportunity to explain his actions to this body and the American people.

Sincerely,

A handwritten signature in black ink that reads "Rush Holt". The signature is written in a cursive, flowing style.

RUSH HOLT
Member of Congress